

**BOONE COUNTY REGIONAL SEWER DISTRICT  
BOARD OF TRUSTEES MEETING  
OCTOBER 16, 2018  
BOONE COUNTY REGIONAL SEWER DISTRICT OFFICE  
1314 NORTH SEVENTH STREET**

**Trustees Present:** Randy Chann, Chair  
David Shorr, Vice Chair  
Deborah Schnedler, Secretary  
John Massey, Trustee

**Absent:** Fred Parry, Trustee

**Others Present:** Tom Ratermann, General Manager  
Lesley Oswald, Assistant Secretary & Treasurer  
Dwayne Cooksey, Operations & Maintenance Manager  
Andy Lister, Project Manager  
Stan Shawver, Boone County Resource Management  
John Whiteside, General Counsel  
Sandi Clark, Administrative Assistant  
Jay Gebhardt, A Civil Group  
Mike Powell, Greenbelt Land Trust of Mid Missouri

Randy Chann, Chair, called the October 16, 2018 Board of Trustees meeting to order at 5:30 p.m. Chann noted there was a quorum.

**Adoption of Revised Agenda**

The agenda was not revised.

**Approval of Minutes**

The minutes for the September 2018 Board of Trustees Meeting were included in the packet

On a motion by David Shorr and a second by Debbie Schnedler, the Board moved to approve the minutes for the September 2018 Board of Trustees meeting as written.  
Motion carried.

### **Approval of Closed Session Minutes**

The minutes for the September 2018 Board of Trustees Closed Session were included in the packet.

On a motion by David Shorr and a second by John Massey, the Board moved to approve the minutes for the September 2018 Board of Trustees Closed Session as written. Motion carried.

### **Approval of Outstanding Bill(s)**

Lesley Oswald reviewed an outstanding bill for 8 conference room chairs for \$5,445.52, payable to Inside the Lines.

On a motion by David Shorr and a second by Debbie Schnedler, the Board moved to approve the outstanding bill for \$5,445.52, payable to Inside the Lines for 8 conference room chairs. Motion carried.

### **Public Comment:**

Ratermann advised Environmental Improvement and Energy Resources Authority (EIERA) intends to launch a pilot program in Missouri. Mike Powell from the Greenbelt Land Trust of Mid Missouri was present to discuss the pilot, and explained that a break on the State Revolving Fund loan interest rate on capital improvement projects would be granted to agencies that sponsor financial contributions for conservation projects in the watershed, commonly for wetland restoration.

Schnedler and Shorr requested more information for the Green Belt Land Trust and documentation on how the pilot program would be structured. Trustees felt that since the SRF loan is paid through users' fees, the District would need to research how participation could benefit District customers or permit outcomes without perceived risks.

See Agenda Items L, M & N:

***Consider a Wastewater Service Agreement with Terry and Joanna Wilson for 4 Additional Lots and 3 Lots Allocated in September 2016;***

***Consider a Wastewater Service Agreement with Mike and Connie Liepard for 1 Additional Lot and 2 Lots Allocated in November 2015;*** and

***Consider Denying a Request for Wastewater Service Agreement with Mike and Connie Liepard for 6 Lots on 40 Underdeveloped Acres***

Jay Gebhardt of A Civil Group was present to advocate for securing wastewater treatment capacity in the South Route K wastewater treatment plant (WWTP) for clients Wilson and Liepard.

Ratermann reviewed the materials provided in the packet. He advised that the Heatherhill Estates developer paid for capacity for 31 lots, and only used 28 lots. He also advised that developer Godas is to return a portion of commercial capacity previously reserved but not paid for or acted on. He recommended the Trustees allocate unclaimed capacity to Wilson for 4 additional lots, and to Liepard for 1 additional lot.

Ratermann explained that reserving capacity for Liepard's 6 additional lots on 40 undeveloped acres could be premature, as the developer has not yet gone through the concept review process.

Gebhardt asked the Trustees to grant capacity to Liepard in order to facilitate approval in the concept review.

Whiteside and Ratermann advised the Trustees could declare the Godas Leatherwood tract as being in breach of the November 17, 2004 agreement for wastewater treatment capacity at the South Route K WWTP.

On a motion by Debbie Schnedler and a second by John Massey, the Board agreed to declare the November 17, 2004 agreement for wastewater collection for the Godas Leatherwood tract as null and void, whereas Godas is in default of the terms of the agreement. Motion carried.

On a motion by Debbie Schnedler and a second by John Massey, the Board authorized the General Manager and the General Counsel to execute an agreement for wastewater collection and treatment services, and to transfer reserved capacity from OMKARA to Silvertree Companies for the former Godas Leatherwood center. Motion carried.

On a motion by Debbie Schnedler and a second by John Massey, the Board moved to approve an agreement with Terry and Joann Wilson for wastewater services for 4 lots in addition to 3 lots allocated in September 2016, pursuant to Counsel's approval. Motion carried.

On a motion by Debbie Schnedler and a second by John Massey, the Board moved to approve an agreement with Mike and Connie Liepard for wastewater services for 1 lot in addition to 2 lots allocated in November 2015, pursuant to Counsel's approval. Motion carried.

On a motion by David Shorr and a second by Debbie Schnedler, the Board moved to modify the resolution dated December 19, 2017, regarding the South Route K wastewater treatment facility, to remove the phrase "and as such no further connect shall be allowed". Motion carried

See Agenda Item O - ***Consider Agreement for Wastewater Collection Service with Bristol 124 et al, for Oakland Crossings***

Gebhardt advised the 80-lot subdivision of Oakland Crossings requires the District provide consent to the City to provide treatment, and the District would provide collection. The current collection system would require improvements to increase the line capacity needed to serve the new subdivision, which would be provided by the developer. Ratermann explained the District can consent to treatment at the City's WWTF, contingent upon an agreement requiring the developer to provide the required improvements to the collection system, and contingent upon the subdivision annexing to the City.

On a motion by David Shorr and a second by Debbie Schnedler, the Board moved to approve an agreement for wastewater service with Bristol 124 *et al* for the Oakland Crossings subdivision as presented. Motion carried.

## **CONSENT AGENDA**

Ratermann reviewed the structure of the new Consent Agenda, and called for any suggested changes. Trustees made no changes.

### **Easement Acquisition Report**

### **Permit Status Report**

### **Safety Report**

### **Approval of Cash Receipts & Disbursements & Bank Reconciliation and Monthly Operating Report for September 2018**

### **Status Report (Work in Progress)**

### **3<sup>rd</sup> Quarter Lien Report**

The various reports and supporting materials for items on the consent agenda were included in the packet. There were no questions or comments.

On a motion by John Massey and a second by David Shorr, the Board moved to approve the Consent Agenda as presented. Motion carried.

## **MANAGER'S REPORT**

### **Planning and Zoning Update**

Stan Shawver reviewed the Planning and Zoning update, Building Permit Statistics, and the Boone County Construction Report.

### **Disinfection Deadlines**

The Disinfection Deadlines Report was included in the packet. Ratermann explained the District received a new schedule for Lee Heights and Oberlin Valley from the Department of Natural Resources (DNR), proposing to review and approve the plans, specifications and due diligence reports on November 15, 2018. This would allow the District to advertise for bids for the two projects on December 1<sup>st</sup>.

### **Report on MDNR Inspections/ Letters of Warning (LOW)/ Notices of Violation (NOV)/ Unsatisfactory Features/ Return to Compliance**

The report was included in the packet. There were no new warnings or violations to report.

### **BCRSD – City of Columbia Work Session**

Ratermann advised he met with City staff in September, and the minutes will be available at the November Board meeting.

### **Draft Permits from MDNR for Review**

Ratermann explained the 12 permits that the District commented on should be coming out in the next two weeks.

### **Information Sharing Among Political Subdivisions and Utility Providers,**

### **Considering Clear Creek**

Ratermann reported that he sent a letter to the County Commission, Boone County Resource Management, the County Counselor, Boone Electric Cooperative, and the water and the fire districts for Clear Creek subdivision, putting all on notice of the connection agreement between the District and the City.

### **Health Insurance**

Ratermann reviewed the health insurance memo included in the packet. The renewal for the health insurance plan is due December 1<sup>st</sup>. The increase in the plan amounts to approximately \$500 more per month in premiums.

On a motion by David Shorr and a second by Debbie Schnedler, the Board moved to approve the renewal of the District's Anthem health insurance plan with a 5% increase. Motion carried.

### **Budget Parameters**

Oswald reviewed the budget parameters included in the packet.

Randy Chann asked if there was a way to prevent the rate increase. Oswald advised the User Rate Study projects how much the incremental increase should be each year, and there have been some years in which delayed operating permits and longer compliance schedules have allowed the District to lower the rate increases that have been applied. The District has very little room to make changes to the scheduled increases. Schnedler advised that the contributions from inflation for goods and services may not allow the District to lower rates. Shorr reminded trustees that even if growth and development stopped in the county, the increase of City's rates will increase the District's wholesale treatment rate.

Shorr requested information about the District's vehicle and equipment insurance policy and premium, advising that competition in the marketplace may lead to lower premiums.

The trustees had no suggested changes to the budget parameters.

### **Improper Wiring Notice from Boone Electric Cooperative (BEC)**

Ratermann reviewed materials included in the packet. He reported that 68 homes in the Hill Creek subdivision have systems where the power supply is improperly wired out of the electric meter base. The power supply should have come from within the house. He advised that the improper wiring was contrary to the plans, was a violation of a national electric code, and should have required BEC to seal the meters after the wiring was complete. Ratermann has plans to meet with BEC staff to get more information. Shawver advised the contractor did not pull the required permits when the work was done. Shorr requested information on compliance and safety, whether this is due to criminal activity, and how it should be addressed. Ratermann advised he will seek information on whether or not BEC has any other information about this meter issue in their records.

On a motion by Debbie Schnedler and a second by John Massey, the Board moved to accept the Manager's Report as presented. Motion carried.

### **Operations and Maintenance Report – Dwayne Cooksey**

Dwayne Cooksey reviewed the O & M Reports included in the packet. Chann requested a brief

from the WEFTEC attendees.

Ratermann advised Virgil Farnen and Cooksey managed the meeting with the El Chaparral home owners' association very well, with good responses to good questions.

Shorr advised a posted notice announced that the Rock Bridge Elementary school will annex to the City of Columbia due to a request for a City of Columbia resource officer at the school. The school is currently a District customer. Shorr asked for information on which properties are contiguous and might be impacted, particularly how the new Clear Creek subdivision might be impacted.

On a motion by John Massey and a second by Debbie Schnedler, the Board moved to accept the O & M Report as presented. Motion carried.

**(Agenda Items)**

**Consider a Wastewater Service Agreement with Terry and Joanna Wilson for 4 Additional Lots and 3 Lots Allocated in September 2016**

See Public Comment.

**Consider a Wastewater Service Agreement with Mike and Connie Liepard for 1 Additional Lot and 2 Lots Allocated in November 2015**

See Public Comment.

**Consider Denying a Request for Wastewater Service Agreement with Mike and Connie Liepard for 6 Lots on 40 Underdeveloped Acres**

See Public Comment.

**Consider Agreement for Wastewater Collection Service with Bristol 124 *et al*, for Oakland Crossings**

See Public Comment.

**Consider Assignment of Agreement for Wastewater Services from OMKARA to Silvertree Companies *et al*, for the Former Godas Leatherwood Center**

See Public Comment.

**New Business**

There was no New Business.

**Old Business**

There was no Old Business.

**Vote to Hold Closed Session Under Section 610.021 (1) & (2)**

On a motion by John Massey and a second by Debbie Schnedler, the Board moved that the Boone County Regional Sewer District Board of Trustees authorize a closed meeting at 7:28 PM on Tuesday, October 16, 2018, as authorized by: 610.021(1) RSMo. to discuss legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys and as authorized by section 610.021; and (2) RSMo. to discuss the leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefore.

Randy Chann, David Shorr, Debbie Schnedler, and John Massey voted in favor. Fred Parry was absent. Motion carried.

On a motion by David Shorr and a second by Debbie Schnedler, the Board moved to reopen the regular meeting at 7:33 PM on Tuesday, October 16, 2018.

Randy Chann, David Shorr, Debbie Schnedler, and John Massey voted in favor. Fred Parry was absent. Motion carried.

**Adjournment**

On a motion by David Shorr and a second by Debbie Schnedler, the Board moved to adjourn the meeting. Motion carried.

Meeting was adjourned at 7:33 PM.

Approved by:

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